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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BREVARD, MAERENA W

ART UNIT PAPER NUMBER

3727

DATE MAILED: 12/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,599

Applicant(s)

MONSON, BRANT

Examiner

Maerena W. Brevard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 16-18, 20, 21 and 23-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21, 27, and 30 is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9, 16, 23, 26, 28 and 31 is/are rejected.
- 7) ☐ Claim(s) 7, 10, 11, 17, 18, 20, 24, 25, and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 31 includes the following informalities: in line 5, "and a mounting pin" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 8, 9, 26, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Aron. Aron discloses a quick release saddlebag system comprising:
 - A saddlebag (10);
 - A mounting structure (12) for mounting the saddlebag comprising a mounting bolt (40) and mounting pin (38);
 - The mounting pin comprises a retaining ring (58) and a flange (54);
 - The saddlebag (portion 16) is mounted on the mounting pin between the retaining ring and the flange (Figure 4);
 - The mounting bolt has a hole disposed therein (Figure 4); and
 - The hole has an annular groove formed therein for receiving a projection from the pin (Figure 4, Column 4, lines 15-34).

Regarding claim 26, the method for mounting comprising attaching a mounting bolt (46) having a hole therein to receive a mounting pin (52) to the fender strut (Column 4, lines 7-9), selecting a mounting pin having a saddlebag disposed thereon (16, 20), and inserting the mounting pin into the mounting bolt (Figure 4), wherein the saddlebag is secured on the pin

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between a flange (54) and a retaining ring (nut, 60), is inherent with the use of the saddlebag system.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 16, 23, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aron in view of Gill.

Aron discloses a saddlebag system comprising a saddlebag (16, 20) and a mounting structure (40) for mounting the saddlebag to a motorcycle comprising a mounting bolt (44) and pin (64), but does not teach the mounting pin having a retractable projection for holding the mounting pin to the mounting bolt. However, Gill teaches a retractable projection (32) holding a mounting pin (30) within a mount (24, 26). It would have been obvious to replace the mounting bolt and pin connection of Aron with the retractable projection of Gill. Doing so would provide a quicker mounting and dismounting means.

Regarding claim 2, the saddlebag system of Aron comprises a saddlebag frame (12).

Regarding claim 3, the frame of Aron comprises an extension arm (See lead line 34, Figure 3).

Regarding claim 4, the mounting bolt had a head (44) having a hole formed therein for receiving the mounting pin (Figure 4).

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Regarding claims 5 and 6, the hole has a detent, or annular groove, formed therein for receiving a projection from the pin (Figure 4, Column 4, lines 15-34).

Regarding claim 16, Aron discloses a bolt (44), having a head (42) with a hole for receiving a mounting pin (52), mounted to a fender strut (32), the mounting pin has a retaining member (64), and a saddlebag (16, 20) disposed on the mounting pin, but does not teach a release disposed on the mounting pin for selectively releasing the retaining member. However, Gill teaches a release (32) disposed on a mounting pin (30) for selectively releasing the retaining member (Figure 5 and 6). It would have been obvious to use the release disposed on the mounting pin of Gill on the mounting pin of Aron. Doing so would provide a quick disengagement means.

Regarding claims 23 and 28, the method for mounting the saddlebag to the motorcycle would be inherent with the use of the modified saddlebag system of Aron.

Allowable Subject Matter

6. Claims 21, 27, and 30 are allowed.
7. Claims 7, 10, 11, 17, 18, 20, 24, 25, and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. The following is a statement of reasons for the indication of allowable subject matter:
Regarding claim 21, there is no prior art teaching a bolt having a head with a hole therein for receiving a mounting pin, a mounting pin having a retaining member, and a saddlebag frame comprising an extension arm having a generally U-shaped attachment member for engaging a

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foot peg of a motorcycle, wherein the extension arm has an adjustable engagement with the U-shaped attachment member.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Levine et al. is cited for a saddlebag system. Duran and Spooner are cited for mounting structures.


10. This action is non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maerena W. Brevard whose telephone number is 703/305-0037. The examiner can normally be reached on M-Th; 8:00 AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W. Young can be reached on 703/308-2572. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9302 for regular communications and 703/872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-0037.


Maerena Brevard
November 19, 2003


GREGORY VIDOVICH
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